

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
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Ditech Financial, LLC

In Re:
Brett J. Guinee,

Debtor.



Order Filed on December 7, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 16-32782-CMG

Adv. No.:

Hearing Date: 10/18/2017 @ 9:00 a.m.

Judge: Christine M. Gravelle

**ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: December 7, 2017

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Brett J. Guinee

Case No: 16-32782-CMG

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Ditech Financial LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 324 Leeward Road, Manahawkin, NJ 08050, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Brian Thomas, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of October 18, 2017, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due June 2017 through October 2017 for a total post-petition default of \$8,445.70 (5 @ \$1,115.63 with \$649.25 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$8,445.70 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume November 1, 2017, directly to Secured Creditor (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall file a modified plan within ten days; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan; and the motion is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Brett J. Guinee
Debtor

Case No. 16-32782-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 07, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2017.

db +Brett J. Guinee, 324 Leeward Road, Manahawkin, NJ 08050-5112

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 09, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 7, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Brian S. Thomas on behalf of Debtor Brett J. Guinee brian@brianthomaslaw.com
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4